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Attorney for Defendant,
JAY BRIAN McCASTLE

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	No. CR S 05-0034 LKK
)	
Plaintiff,	)	STIPULATION AND ORDER
	)	RE EXCLUDABLE TIME,
v.	)	MODIFICATION OF PRETRIAL
	)	MOTION SCHEDULE, AND
JAY BRIAN McCASTLE, DAVID	)	SETTING OF HEARING FOR
TALCOTT USSERY, ROBERT	)	ENTRY OF PLEAS
ROBINSON and LINDA ANN CHANEY,	)	Date: December 13, 2005
	)	Time: 9:30 a.m.
Defendants.	)	Court: Honorable Lawrence K. Karlton,
	)	United States Senior District Court Judge

The parties hereby stipulate to the following:

1. This matter is now set for a non-evidentiary hearing concerning pretrial motions on **December 13, 2005, at 9:30 a.m.** Counsel for defendant Ussery is presently involved in a murder trial and has requested additional time to file a reply to the government's opposition, and to prepare for the motion hearing.
2. In order to afford defense counsel sufficient time to prepare for hearing concerning pretrial motions, it is hereby requested that the motion hearing be continued until **December 20, 2005 at 9:30 a.m.** It is also requested that defendants' optional replies to the government's opposition be due on **December 13, 2005.**
3. Defendants Robinson and Chaney have not filed nor joined in any motions. Said

defendants anticipate that they will be pleading guilty pursuant to a written plea agreement. Therefore, it is requested that as to defendants Robinson and Chaney only, this matter be placed on the court's calendar for entry of plea on **December 13, 2005, at 9:30 a.m.**

3. The parties stipulate, and the court is requested to order, that time continued to be excluded until December 20, 2005, pursuant to Local Code E, 18 U.S.C. 3161(h)(1)(F), as motions are pending, and pursuant to Local Code T4, 18 U.S.C. 3161(h)(8)(B)(iv), for preparation of counsel.

DATED: December 5, 2005 /s/ Tim Warriner, Attorney for defendant,
JAY BRIAN McCASTLE

DATED: December 5, 2005 /s/ James Ralph Greiner, Attorney for defendant,
DAVID TALCOTT USSERY

DATED: December 5, 2005 /s/ Christopher Haydn-Meyer, Attorney for defendant,
ROBERT ROBINSON

DATED: December 5, 2005 /s/ Jan David Karowsky, Attorney for defendant,
LINDA ANN CHANEY

DATED: December 5, 2005 /s/ Anne Pings, Assistant United States Attorney,
Attorney for the Government

ORDER

GOOD CAUSE APPEARING, it is hereby ordered that the December 13, 2005 motion hearing date be vacated and that the matter instead be set for a non-evidentiary hearing concerning pretrial motions on **December 20, 2005 at 9:30 a.m.** Defendants' optional replies to the government's opposition will be due **December 13, 2005**. It is further ordered that as to defendants Robinson and Chaney only, this matter be set for entry of plea on **December 13, 2005 at 9:30 a.m.** The court orders that time continue to be excluded until December 20, 2005 pursuant to Local Code E, 18 U.S.C. 3161(h)(1)(F), as motions are now pending, and for preparation of counsel pursuant to Local Code T4, 18 U.S.C. 3161(h)(8)(B)(iv).

DATED: December 6, 2005

/s/ Lawrence K. Karlton
HONORABLE LAWRENCE K. KARLTON
Senior, UNITED STATES DISTRICT JUDGE